GRS IX 5]

Previous references

(1921. Mel)

File No 3-22 6d 7 (3)

Serial Nos. ~~4 2 3 2 4~~ ~~4 6 1 4 8~~

Later references

Mad 3-22-142

GENERAL AND REVENUE SECRETARIAT

Serial Nos ✓

Part B for

SUBJECT

Acquisition of land belonging to Mr Subramanya in Mysore City

98 To, The Chairman, Trust Board Mysore

No d 5128/d 13/23

States that the acquisition has to be done by private negotiation as the provisions of the Land Acquisition Regulation cannot be applied to a case where Compensation is not proposed to be found out of public Revenue

MS. 18/1/23

OFFICE OF THE CHAIRMAN
CITY IMPROVEMENT TRUST BOARD, MYSORE

No 323
Enc (1) Municipal Council
Resolution No VIII dated 20th December 1919
Plans and estimates in duplicate
(2) Board's Resolution No IV dated 7th May 1921
(One Sheet)

Date 6th November 1922

11

L 2390
10 NOV 1922
JUDICIAL REPORT BRANCH

21 & 31

From

RAJASEVABHUSHANA, DIWAN BAHADUR,
C SRIKANTESVARA AIYAR, B A, B L,
CHAIRMAN, CITY IMPROVEMENT TRUST BOARD,
MYSORE

11 NOV 1922

To

T.E.Jayaram Iyer, Esquire., B.A., B.L.,
Secretary to Government of His Highness the
Maharaja of Mysore

Ml 3-22-6

Sir

With reference to your letter No.L.2965/M1 23-21-98 dated the 13th October 1922 regarding the acquisition of land belonging to Mr. B. Subramanya , I have the honour to submit herewith a scheme, after passing through all formalities enjoined in Section 16 of the Mysore City Improvement Regulation for Government sanction The funds required viz Rs 6,000, as per estimate will be met by the authorities of the Anathalaya, Mysore, to whom it has been finally decided that the land to be given over.

2. The following documents pertaining to the scheme are appended hereto-

1. Plans and estimates in duplicate of the cost of executing the scheme
2. Copy of Resolution of the Mysore City Municipal Council No.VIII dated 20th December 1919.
3. Copy of the Board's Resolution No.IV dated the 7th May 1921.

3 . I solicit the favour of obtaining Government sanction to the Scheme and communicating the same as early as it is convenient.

4. The declaration statements both in English and Kannada in duplicate are sent herewith for favour of directing their publication in the Mysore Gazette under your signature.

I have the honour to be,

Sir,

Your most obedient servant,

Chairman.

1) Draft may be sent [illegible] for approval

Rev Secy 15/11/22

2) On 19 Sep 1922 the Devan ordered that the proposal to acquire the site in question must be given up if it is unlikely to mature in three months. The Chairman now submits a proposal for its acquisition and states that the estimated cost viz Rs 6000 will be met by the Anathalaya to whom it is proposed to be made over 3) A draft is submitted

(Secretary Member) 21/11/22

3243
21-11-22

4) Secretary of the acquisition department is directed to communicate with the Secretary Anathalaya Post Research may be cancelled

24/11/22

R S III-21

23413

General and Revenue Secretariat

File No. 3 of 1922

Serial No

M.O. No 42
Dt 27/11/22

1) Forwarded, with compliments, to the Govt Advocate-General in response for favour of opinion

By Order,
K. Subbarayappa,
for Secy to Govt

6) 27/11/22

77 of 22-23
Dt 24/12/1922

The proviso to section 6(1) says that "no such declaration shall be made, unless the compensation to be awarded for such property is to be paid wholly or partly out of public revenues or some fund controlled or managed by a local authority."

7) This provision in section 6(1) has been held by our Chief Court to be imperative; and in a case where such compensation was not paid out of public revenues, it was held that the entire proceedings for acquisition were null and void (vide 25 M.C.C. Rp. 228).

8) Unless therefore any portion of the compensation is to be paid either out of public revenues or some fund controlled or managed by a local authority it cannot be paid

GEN & REV SEC
2 - DEC 1922
GENERAL SECRETARIAT: 4 - DEC 1922 LOCAL SELF GOVT. BRANCH

NOTE—Contn. sheet

Serial No

Land that the acquisition is for a public purpose and no declaration can be made under section 6(1).

(v) The expression "local authority" has been defined in the General Clauses Regulation in it is as follows:-

"a Municipal Committee, district board, or other authority legally entitled to, or entrusted by the Government with, the control or management of a municipal or local fund"

(vi) Under, therefore, a portion at least of the compensation payable is to be met either by Govt or by the Municipal Council or is paid out of any fund controlled or managed by a local authority the declaration & other proceedings cannot be legal. The expression "fund controlled or managed by a local authority" is however very wide As to whether this important prerequisite is satisfied in the present instance is a matter that should depend

the

R. d. 511-2]

General and Revenue Secretariat

File No 3 of 1922

Serial No

Question as to who manages the funds of the Anathalaya or as to whether the Municipal Council or Dist Board is prepared to sanction some amount towards payment of the Compensation

Thankeeyan
Govt Advocate
2/12/22

Shown with ref to the 2nd min vide minute of 24-11-22 in para 4 above

DS 24/11/22

Rev Secy) DCS 24/11/22

3593
5-12-22

Secretariat) 4/12/22

A mere custodian who is paid by a local body cannot treat the funds of such body as assets in his hands under his control or manage- ment of the local body. I am afraid the proposal will have the effect

Secretariat) DCS 6/12/22

Is there anything objectionable in the Travancore Co-operative Societies Regulation as a party to the proposal

4/12/22

6/12/22

Note—Contn. sheet

DISTRICT OFFICE
Received on DEC 6 1922
No. 3333

R 3 III-2]

General and Revenue Secretariat

MA File No 3 of 1922

Serial No

~~Scheme for Survey Improvement Scheme~~
~~was to provide for the Enlargement of the Land~~
~~acquired under Section 15 (b) of the~~
~~City of Mysore Draft Regn. The object~~
~~of the Scheme is simply to give the~~
~~Land for the Amathalaya and it~~
~~is proposed to transfer the Land in~~
~~entirety to the Anathalaya Agam~~
~~under Section 18 (b) of the Same Regn~~
~~the purpose for which the Land is~~
~~proposed has to be stated in the declaration~~

In connection with the acquisition of lands for Banumaraya School it was originally ordered that the acquisition could not be treated as having for a public purpose but finally the Board was asked to acquire the lands for Sanitary Improvements and then hand over them to the School Attention is also invited to the last ~~reason~~ paragraph of the Board's letter No 4 H 4 — MA 24-17 SL 73

MA 23-17 SL 70

24-17 SL 73

M

The Board had no money for payment of compensation and the Sanction of an additional grant is under consideration If the Govt cannot hand the lands for some time after acq

NOTE—Contn. sheet

R. S. III-21

General and Revenue Secretariat | File No. 3 of 1922.

Serial No

either keeping the recommendation from their own funds, the acquisition may be justifiable

As in the case of the lands required for the Ramunnah's School, the land required for the Anathalaya will first have to be acquired by the Trust Board and then sold to the Anathalaya authorities or the latter asked to get the land themselves by private negotiations

(Rev Secy.)

9/12/22

3794
9/12/22

(Secretary) 9/12/22

By this procedure Rs 40,000 Govt funds must come in the 1st instance from the Trust Board

26/12/22

Ref Dewan's Minute dated 1-12-22

(Dewan) 30/12/22

had the Committee the reg has also done by Secretariat reg. only

DEWAN'S OFFICE.
Received on JAN 2 1923
No. 3952

Note—Contin sheet

R. S III-21

General and Revenue Secretariat | M File No. 3 of 1922

Serial No

Please put up draft CSB 5/1/23

Draft Sanad for approval

CSB 6/1/23

4/1/23 Secy Secy

4/1/23

For perusal before issue

Send Number CSB 8/1/23

10/1 10/1/23

Issue CSB 10/1/23

To the Chairman D B2 Mysore

No d 5128 & 13/1/22

with refee to Sc 6, states that the acqn has to be done by private negotiation as the provisions of the L A Regulation cannot be applied to a case where compensation is not proposed to be paid out of Public Revenue.

REVENUE & JUDICIAL SECRETARIAT 8 JAN 1923 LOCAL SELF GOVT BRANCH

REVENUE & JUDICIAL SECRETARIAT 17 JAN 1923 LOCAL SELF GOVT. BRANCH.

Notes—Contn. sheet.

Mysore City Improvement Trust Board.

Estimate of the cost of acquiring the vacant land to the south of Anathalaya, in Block 694, Krishnaraja Mohalla, Mysore City.

Serial No.	Details.	Amount.
1.	Land, trees thereon and with other sundries	4,400
2.	Compulsory acquisition at 15 %	660
	Total Rs	5,060
3.	Contingent charges at 5 %	220
	Grand total Rs	5,280 or
	in round sum Rs.	6,000 only.

Chairman.

12

Mysore City Improvement Trust Board.

Estimate of the cost of acquiring the vacant land to the south of Ambathalgya, in Block 694, Krishnaraja Mohalla, Mysore City.

Serial No.	Details.	Amount.
1.	Land, trees thereon and with other sundries.	4,400
2.	Compulsory acquisition at 15 %.	660
	Total Rs.	5,060
3.	Contingent charges at 5 %	220
	Grand total Rs.	5,280 or
	in round sum Rs.	5,000 only

Chairman.

Proceedings of the 11th (ORDINARY) meeting of (11) City Municipal Council, Mysore, held in the Rangacharlu Memorial Hall on Saturday the 20th December 1919 at 4 P.M.

Present.

Rajasabhabhushana, Diwan Bahadur,

C. Srikantesvara Aiyar, B.A., B.L., President.

1. M. S. Krishna Rao, Esq., B.A., B.L., (Vice-President).

2. Lokavenkatha Ambo Annaiah Pandit, Esq.,
3. M. Narayanaswami, Esq.,
4. M.D. Ranga Iyengar, Esq.,
5. Purushothamanandagiri Conway, Esq.,
6. Sottappa Siddappa, Esq.,
7. Dharmapurikara D. Dasumiah, Esq.,
8. M. Ananthanarajiah, Esq.,
9. Kavaripetaram Subbaynahetty, Esq.,
10. M. Basiffachar, Esq., B.A.,
11. N. Sotaji Rao, Esq.,
12. Sowcar Doddiah, Esq.,
13. C. Narasimhiah, Esq., B.A., B.L.,
14. A. Krishna Rao, Esq., B.A., B.L.,
15. Rev. Father D.F. Laurent.,
16. M. Venkatakrishnaiya, Esq.,
17. Mahamad Jaffar Sahib, Esq.,
18. Madappa, Esq.,
19. K. Dhanakotiahetty, Esq.,
20. Abdul Aziz Pasha, Esq.,
21. Sirdar M. Gopalakrishna Urs.,
22. D.R. Krishnamachar, Esq., B.A., B.L.,

Absent.

1. Lokahithaishi H. Nanjundaraja Urs, Esq.,
2. Rev. I Spencer.,
3. A. Subbanna, Esq.,
4. V. Thiruvengada Mudaliar, Esq.,
5. M.L. Vasudeviah, Esq.,
6. Mahomed Sait, Esq.,

x x x

VIII Letter No.6 B 92 dated 22nd November 1919 from the Chairman, City Improvement Trust Board, Mysore, forwarding copies of Notifications Nos.166 to 172 dated 23rd October 1919 in the matter of improving the sanitary condition of different parts of the City.

Approved.
Sd C Srikantesvara Aiyar,
President.

"Extract"

Chairman

Copy of Proceedings of the 12th (Ordinary) meeting of the Board of Trustees for the Improvement of the City of Mysore, held at the (Rangacharlu Memorial Hall) on Saturday the 7th May 1921 at 4 P.M.

Present

Rajasabhabhushana Diwan Bahadur,

C. Srikanteswara Aiyar, B A., B.L., (Chairman.

1. Dr A.K.Pani, D.P.H., etc.,
2. Dr J V.Mascarenhas, M B C.M., etc.,
3. Thuruvekere Basavaraja Urs, Esq.,
4. Mahomed Jaffer Saheb, Esq.,
5. M. S.Krishna Rao, Esq., B.A., B.L.,

Absent.

1. R.H.Campbell, Esq., I.C.S., C.I E.,
2. A Krishna Rao, Esq., B.A., B.L.,
3. Mahomed Sait, Esq.,

x x x

IV Reconsideration of Board's Resolution dated 27th January 1919 regarding the acquisition of the site lying between the Anathalaya and the Chamaraja Road.

Resolved that the Resolution of the Board of dated 27th January 1919 be confirmed.

x x x

Sd C Srikanteswara Aiyar,
Chairman.

For Chairman

Copy of Proceedings of the Seventh Ordinary meeting of the Board of Trustees for the Improvement of the City of Mysore, held at the Chairman's Office (Lacey's Court Buildings on Monday the 27th January 1919 at 4 P.M.

Present

Rajasilpivisarada Rao Bahadur,

B. Subba Rao, Esq, L C.E., Chairman.

1. Dr. A.K.Pani, L.M S., D.P.H ,
2 Dr J.V.Karve, M B , D P.H ,
3 Mr. M.Anantharajiah ,
4. Mr M. Venkatakrishniah.,
5 Mr Mahomed Jaffer Sahib ,
6. Mr C Narasimhiah, B.A , B.L.,

Absent

1. R.H Campbell, Esq., I C S ,C.I E ,
2 The Vice-President, City Municipal Council, Mysore

x x x

X. Letter dated the 26th November 1918, from the Honorary Secretary, Anathalaya, Mysore, regarding the acquisition of the site lying between the present Anathalaya and the Chamaraja Road

Resolved that the land referred to be acquired for the purposes of extending the Anathalaya

x x x

Sd B Subba Rao,
Chairman.

M. a Srinivasan

For Chairman.

MYSORE CITY IMPROVE

Under section 18 (1) of the City of Mysore Improvement Regulation III of 1903, it is hereby declared that the

dated

Serial No	Plan No	Door No	Name of owner	Description of property	Extent of East to west
90			Mr R Subramanya	Land etc	120'

Chairman
Improvement Trust
Mysore

...ENT TRUST BOARD.

...perties detailed in the undermentioned schedule are required for a public purpose, *viz.*,

The estimate for the acquisition of the said properties has been sanctioned in Government Order

...d in feet North to South	Extent in Sq. yds	Boundaries East	West	North	South
	1 A.				
200'	4,000	Chikkamma Road	Narayana Setty Road	Road & Anjanappa Land.	Trench Channel & Channaya

Revenue Secretary

ಗಾ ಚಿತ್ರಸ್ಪ್ರ ಬಿಶ್ಲಾಷ್ಟೆ

ಈ ಪಟ್ಟಿಕೆ ಉಪಯೋಗಕ್ಕೆ ಬಂದಿದ್ದು ಮೊದಲು
ಸಹಾಯಕಾರ್ಯದರ್ಶಿಗಳ ಪೀಠವಾಗಿರುವುದೆ ಒಂದು ಈ ವರ್ಷ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿದೆ ಸದರಿ ಸ್ವತ್ತುಗಳ ಅಕ್ವಿಜಿಷನ್ ಸಂಬಂಧವಾದ ಅಂಶಾಂಶಗಳ

ಉ-ದಕ್ಷಿಣ	ಎಸ್ಟೇಟ್ ಸದರಿ ಗಡಿಗಳು	ಹಕುಗಳು			
		ಪೂರ್ವ	ಪಶ್ಚಿಮ	ಉತ್ತರ	ದಕ್ಷಿಣ
೧೦	೪,೦೦೦	ಚಿಕ್ಕಪೈಕಿ ಪರವರ ದೇವಪ್ಪ	ಪಾ ಲಂಕಯ್ಯ ಶಿವಲಿಂಗಪ್ಪರ ಪೈಕಿ	ರಸ್ತೆಯಮೇಲೆ ಅಜಾಸ್ಯೂ ಉಳ್ಳ ಚಿ. ಮು ರಾಜ್ಯ ರಸ್ತೆ	ರಸ್ತೆಯಮೇಲೆ ಚಿ. ಮು ರಾಜ್ಯ ರಸ್ತೆ

ಸರ್ವೇರವರ ರಿವಿನ್ಯೂ ಇಲಾಖೆಗೂ ಸೆಕ್ರೆಟರಿ.

G.R.S. 20]

MCL File No 3-22

Serial No 7

Diary No of letter replied to L 2370

No L 5128

General and Revenue Secretariat

( )

the 19

To

The Chairman, Mysore

City Improvement Trust Board

13th January 1923

Sir,

Signed by Mr Chelam Rao

With reference to the correspondence ending with your letter No 34 dated 6th Nov 1922 regarding the acquisition of a land belonging to Mr B. Subramanya and stating that the cost of acquisition will be met by the authorities of the Ananthapura to whom the land will be made over, I am directed

over

SUBJECT

ಮೈಸೂರು ಪೇಟೆ ಮುನಿಸ್ಪಾಲಿಟಿ

ನಂ

ಸೆ 190ಸೇ ಇಸವಿ IIIನೆ ರೆಗು ಲೇಪಣ 18 (1)ನೆ ಸೆಕ್ಷನ್‌ಗೆ ಅನುಸಾರವಾಗಿ ಈ ಕೆಳಗೆ ವಿವರಿಸುವ

ನೆ ಇಸವಿ ನೆ ಮಕ್ಕಂ ನೆ ನಂಬರು ಗೌನ್‌ಮೆಂಟ್ ಪ್ರೊಸಿಡಿಂಗ್ಸಿನಲ್ಲಿ ಮಂಜೂರಾಗಿರುತ್ತೆ

ಬಂಗಲೆ ನಂಬರು	ಕಾರ್ಡ್ ನಂಬರು	ಪೋಲ್ ನಂಬರು	ಮಾರ್ಗದ ಹೆಸರುಗಳ	ಸ್ಟಾಕ್ಸ್‌ಗಳ ವಿವರ	ವಿಸ್ತೀರ್ಣ ಪೂರ್ವ-ಪಶ್ಚಿಮ
					Block
	ಪಿ/೧೦		ಮಿ॥ಚಿ.ಸುಬ್ರಮಣ್ಯ	ಕಾಲೀಕ್ಸ್‌ಗೆ ಯಮುಕ್ತಕಷ್ಟದ ಸ್ಟೋಕ್ಸ್ -	180

ಸೂಪರಿಂಟೆಂಡೆಂಟ್

ಬಿನ್ನಪತ್ರ

ಸಪ್ಲೈ ಉಪಯೋಗಕ್ಕೆ ~~ಅವಶ್ಯವಿದೆಯು~~
~~ಮಿಸಿಲಕ್ಕಾಗಿ~~ ಬೇಕಾಗಿರುತ್ತೆ ಎಂದು ಈ ಪತ್ರದ ಮೂಲಕ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿದೆ. ಪದವಿ ಸ್ವೀಕರಿಸಿದ ಅಭ್ಯರ್ಥಿಗಳ ಸಂಬಂಧವಾದ ವಿವರಗಳು

ಉಡಕ್ಷಿಣ	ವಿಸ್ತೀರ್ಣ ಜದರ ಗಜಗಳು	ಜಕುಗ-ಡಿ			
		ಪೂಪ-	-ಶಿಮ	ಉತ್ತರ	ದಕ್ಷಿಣ
೦೦	೪,೨೦೦	ಪೀಕೃಷ್ಣಾ ಸಮ ದದಸ್ಥಿ	ನಾರಾಯಣ ಪೂರ್ವಿಕ ದಸ್ಥಿ	ರಕ್ತೀಮುಕ್ತಿ ಅಸ್ಥಾಪ್ಯ ಲಯಮ	ಡಾ. ಪಿ ಮಹೇಶ್ವರಿ ಮೀ ಜಾಪಿ ಪತ್ನಿ

ಸರ್ಕಾರದ ರಿವಿನಿಯ ಇಲಾಖೆಯ ಸೆಕ್ರೆಟರಿ

MYSORE CITY IMPROVE

Under section 19 (1) of the City of Mysore Improvement Regulation III of 1903, it is hereby declared that the

No. dated 1912.

Serial No	Plan No	Door No	Name of owner	Description of property	Extent of Last to west
				Block 69	
90			Mr. & Subramanya	Land with thatched	180'

M. Subramanya
Chairman
City Improvement Tr

NT TRUST BOARD.

...s detailed in the undermentioned schedule are required for a public purpose,

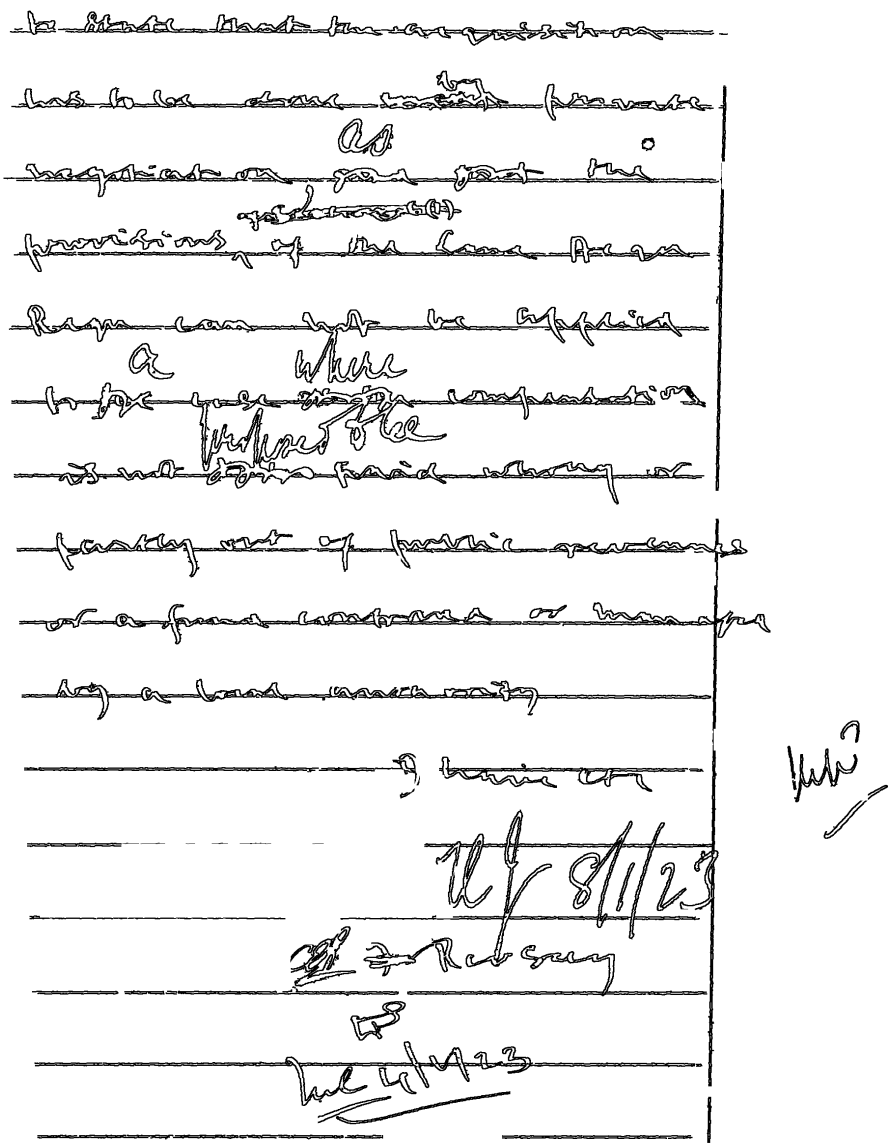
The estimate for the acquisition of the said properties has been sanctioned in Government Order

...n feet orth to south	Extent in Sq. yds	Boundaries			
		East	West	North	South
20'	4,000'	Chinnamal Road.	Narayana Salary Road.	Road and Anamalai Canal	Feeder Channel and Channel Road

By order,

15/11/...

Revenue Secretary



List of enclosures.

Copied by

Examined by

GPE—10,000—28-2-11

[illegible 57]

File No.

Serial Nos.

190

GENERAL AND REVENUE SECRETARIAT

( )

Part A: Manuscript
for

Serial Nos.

GPB—5,000—20-3-06